IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5595 OF 2005

Warsolidev Village Grampanchayat
Through its Sarpanch
Vishnu Jivaji More & Ors. ..Petitioners.

Vs.

The State of Maharashtra & Ors. ..Respondents.

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Mr.H.S.Venegavkar for the Petitioners.

Mrs.J.S.Pawar, AGP for the State.

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CORAM : F.I.REBELLO &

DR.D.Y.CHANDRACHUD, JJ.

29th September, 2005.

P.C. :

1. The Petitioners are aggrieved by a notification dated 11th April, 2002 whereby 56 villages in Javali Taluka are being included in Mahabaleshwar Taluka. The contention of the Petitioners is that out of the said 56 villages,

there are 13 villages which are inaccessible and those villages if transferred to Mahabaleshwar Taluka, the villagers of these 13 villages will suffer as Javali is closer to them than Mahabaleshwar Taluka.

2. The Intervenor in the Petition contends that out of 13 villages, 7 of the Panchayats have passed a resolution to be included in Mahabaleshwar Taluka.

3. The constitution of revenue areas is subject to the provisions of Section 4 of the Maharashtra Revenue Code 1966. The exercise of power is subject to previous publication as set out therein. In the instant case, the notification itself recites that there has been compliance with the procedure. Once that be the case, it would be difficult for this Court to interfere in the exercise of the extra-ordinary jurisdiction.

4. Suffice it to say that if these 13 villages are still aggrieved by the reconstitution of the revenue area, it is upto them to make a

representation to the State Government. In the instant case, learned counsel points out that they have also made a representation. If that be the cases, it is for the State Government to consider the said representation and decide it in accordance with law within a period of 16 weeks from today. With the above directions, the Petitions stands disposed of.

(F.I.REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)